

EXHIBIT 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JENNIFER ECKHART,)
)
Plaintiff,) Case No.
) 1:20-cv-05593 (RA)
vs.)
)
FOX NEWS NETWORK, LLC and ED)
HENRY, in his individual and)
professional capacity,)
)
Defendants.)
-----)

VOLUME I

VIDEOTAPED DEPOSITION OF JENNIFER MARIE ECKHART
New York, New York
Monday, April 24, 2023

Reported by:
KRISTIN KOCH, RPR, RMR, CRR

April 24, 2023

10:07 a.m.

Videotaped Deposition of JENNIFER MARIE
ECKHART, held at the offices of Proskauer
Rose LLP, Eleven Times Square, New York,
New York, before Kristin Koch, a Registered
Professional Reporter, Registered Merit
Reporter, Certified Realtime Reporter and
Notary Public of the State of New York.

A P P E A R A N C E S:

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Eleven Times Square

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BY: KATHLEEN M. McKENNA, ESQ.

RACHEL S. FISCHER, ESQ.

JULIA F. HOLLREISER, ESQ.

CLAUDIA C. KHOURY-YACoub, ESQ.

A P P E A R A N C E S: (Continued)

MORVILLO ABRAMOWITZ GRAND IASON & ANELLO P.C.

Attorneys for Ed Henry

565 Fifth Avenue

New York, New York 10017

BY: CATHERINE M. FOTI, ESQ.

MICHAEL D. MANZO, ESQ.

ALSO PRESENT:

CARLOS KING, Videographer

CARL GUIDA, ESQ., Fox News

ED HENRY

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J. Eckhart

THE VIDEOGRAPHER: Good morning. We are going on the record at 10:07 a.m. on April 24th, 2023.

Please note that the microphones are sensitive and may pick up whispering and private conversations. Please mute your phones at this time. Audio and video recording will continue to take place unless all parties agree to go off the record.

This is media unit number 1 of the video-recorded deposition of Ms. Jennifer Eckhart taken by counsel for Defendants in the matter of Jennifer Eckhart versus Fox News Network, LLC, filed in the United States District Court, Southern District of New York, case number 1:20-cv-05593(RA).

The location of this deposition is Eleven Times Square, New York, New York.

My name is Carlos King representing Veritext and I am the videographer. The court reporter is Kristin Koch also representing Veritext.

I am not authorized to administer an oath, I am not related to any party in this

1 J. Eckhart

2 action and I am not financially interested in
3 the outcome. If there are any objections to
4 the proceedings, please state them at the
5 time of your appearance.

6 Counsel and all present, including
7 remotely, will now state their appearance and
8 affiliations for the record, beginning with
9 noticing attorney.

10 MS. McKENNA: Kathleen McKenna,
11 Proskauer Rose, LLP.

12 MS. FISCHER: Rachel Fischer, Proskauer
13 Rose.

14 MS. HOLLREISER: Julia Hollreiser,
15 Proskauer Rose.

16 MR. GUIDA: Carl Guida, Fox News.

17 MR. WILLEMIN: Michael Willemin, Wigdor
18 LLP.

19 MR. VARGHESE: Renan Varghese, Wigdor
20 LLP.

21 MS. SABATO: Christina Sabato, Wigdor
22 LLP.

23 MS. FOTI: Catherine Foti, Morvillo
24 Abramowitz Grand Iason & Anello, on behalf of
25 Ed Henry.

1 J. Eckhart

2 MR. HENRY: Ed Henry.

3 MR. MANZO: Michael Manzo on behalf of
4 Morvillo Abramowitz Grand Iason & Anello.

5 THE VIDEOGRAPHER: Can the court
6 reporter, please, swear in or affirm the
7 witness.

8 J E N N I F E R M A R I E E C K H A R T,
9 called as a witness, having been duly sworn
10 by a Notary Public, was examined and
11 testified as follows:

12 EXAMINATION BY

13 MS. McKENNA:

14 Q. Good morning, Ms. Eckhart.

15 A. Good morning.

16 Q. I know we met before, but I'm Kathleen
17 McKenna with Proskauer Rose and, as you just
18 heard, we represent Fox News in connection with
19 the lawsuit you have brought against it.

20 The purpose of today's deposition is
21 for me to ask you questions under oath about the
22 Complaint that you have filed against Fox News.
23 The purpose of my questions is not to trick or
24 mislead you. If you don't understand anything
25 that I say today when I ask you a question, let me

1 J. Eckhart

2 Q. Did you have that iPhone while you were
3 working at Fox?

4 A. I did.

5 Q. You recall that you were terminated by
6 Fox on June 12, 2020; correct?

7 A. I believe that's the date.

8 Q. Okay. Which version of the iPhone do
9 you have?

10 A. I believe the iPhone 7 Plus.

11 Q. And do you recall whether you got that
12 iPhone in 2020?

13 A. I did not get that iPhone in 2020.

14 Q. Did you get it before then?

15 A. I did.

16 Q. Okay. Did you get it in 2019?

17 A. I don't know.

18 Q. Could you have gotten it as early as
19 2018?

20 A. I don't know.

21 Q. Who is your provider for your iPhone
22 services?

23 A. AT&T.

24 Q. And has AT&T always been your provider?

25 A. It has.

1 J. Eckhart

2 that.

3 Did you speak to any other attorneys
4 other than Wigdor LLP when you were contemplating
5 your suit against Fox?

6 A. Lisa Bloom.

7 MS. McKENNA: I'll talk to you about
8 that later.

9 Q. Did you speak to Ms. Bloom or anyone
10 from her office?

11 A. I spoke to her assistant.

12 Q. And do you recall when that was?

13 A. I do not.

14 Q. Was it before or after you spoke to
15 Doug Wigdor?

16 A. It was after.

17 Q. Do you recall how much after?

18 A. I don't.

19 Q. Let's talk a little bit about your
20 educational background, Ms. Eckhart. You went to
21 auburn university between 2008 and 2010; correct?

22 A. That is correct.

23 Q. And then you went to the University of
24 Florida from 2010 to 2012; correct?

25 A. That is correct.

1 J. Eckhart

2 Q. And you graduated with a BS in
3 telecommunications from the University of Florida;
4 is that correct?

5 A. Yes.

6 Q. Did you have any postgraduate
7 education?

8 A. No.

9 Q. Okay. You referenced this a little
10 earlier, but you were a summer intern at Fox;
11 correct?

12 A. Correct.

13 Q. And that was in the summer of 2011?

14 A. I don't remember the exact year, but
15 that sounds correct.

16 Q. Well, if you went to Florida in '10,
17 was it in '10, '11, or the last year that you
18 graduated?

19 A. It was the summer between -- it was my
20 summer after my junior year.

21 Q. So 2011?

22 A. Correct.

23 Q. Okay. How did you get that job?

24 A. My internship?

25 Q. Yes.

1 J. Eckhart

2 A. I was hired by Fox News to be a
3 freelance administrative assistant to anchor Liz
4 Claman.

5 Q. Okay. And you indicated a little
6 earlier there came a point in time where you were
7 no longer a freelancer; correct?

8 A. Correct.

9 Q. And do you recall how long it was
10 before you became a regular employee?

11 A. I think a couple months.

12 Q. Okay. When you joined Fox, were you
13 aspiring to be a reporter?

14 A. I was aspiring to be an on-air
15 journalist, yes.

16 Q. Okay. And did you think that working
17 at Fox News would help you get closer to that goal
18 of being an on-air reporter?

19 A. I did.

20 Q. Okay. Did you think that you would
21 meet people at Fox News that could help you become
22 an on-air reporting talent?

23 A. Yes.

24 Q. Okay. And in the years you worked at
25 Fox News, did you have the opportunity to interact

1 J. Eckhart

2 Q. Or neither.

3 A. Both.

4 Q. Okay. What does the abbreviation SOT
5 mean?

6 A. SOT. It stands for sound bite.

7 Q. I did not guess that.

8 And what does it mean to do a read-in?

9 A. I'm sorry. I don't think I know the
10 answer to that.

11 Q. No? Okay. All right. We will look at
12 some documents. Maybe you can translate for me.

13 When you became the production
14 assistant on Liz Claman's show, was that also in
15 New York?

16 A. Yes.

17 Q. Okay. And to whom did you report when
18 you were the production assistant?

19 A. For Liz Claman's show?

20 Q. Yes. I'm sorry. These questions will
21 now be for the Liz Claman show.

22 A. Brad Hirst.

23 Q. And what was Mr. Hirst's title at the
24 time, if you know?

25 A. Executive producer.

1 J. Eckhart

2 Q. And can you describe, for the record,
3 the chain of positions from production assistant
4 up to executive producer on the Liz Claman show?

5 A. It typically is intern, production
6 assistant, booker, associate producer, producer,
7 senior producer, and then executive producer.

8 Q. Thank you.

9 And am I correct that in and about
10 December of 2015 you became a booker?

11 A. I don't recall if that's the correct
12 date, but it sounds right.

13 Q. Okay. And can you describe for the
14 record what it is that a booker does?

15 A. A booker books guests to come on the
16 Fox Business Network or Fox News Channel. You
17 often take demands from senior management
18 concerning particular guests or from
19 correspondents or from anchors who want a
20 particular guest on the show, and it is your
21 responsibility as a booker to pre-interview each
22 guest to prepare them with talking points and to
23 book their transportation to and from the studio.

24 Q. And when you are a booker and you are
25 pre-interviewing the guest, is that information

1 J. Eckhart

2 A. I don't.

3 MS. McKENNA: I am going to ask be
4 marked -- 60, please. 60.

5 I think we are up to 8, Bates
6 stamped -- Exhibit 8 will be the document
7 Bates stamped FOX 2430.

8 (Eckhart Exhibit 8, e-mail dated
9 8-10-2018, Bates stamped FOX 002430, marked
10 for identification.)

11 Q. Ms. Eckhart, this e-mail is dated
12 Friday, August 10, 2018, and it -- [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

18 Does that refresh your recollection
19 that you were promoted in August of 2018?

20 A. It does.

21 Q. Okay. For the record, Ms. Eckhart,
22 when you became associate producer, you were still
23 working in New York; correct?

24 A. Correct.

25 Q. And you still were reporting to Brad

1 J. Eckhart

2 Do you recall communicating with
3 Mr. Hirst in September of 2019 regarding your
4 latenesses and absences?

5 A. I am sorry, but I don't remember.

6 Q. Do you remember whether there came a
7 time in September of 2019 you received a
8 communication telling you it was a final warning
9 for your latenesses and absences?

10 A. I'm sorry. Can you, please, repeat
11 that question.

12 MS. McKENNA: Can you read it back.

13 (Record read.)

14 A. I do not remember receiving such thing.

15 MS. McKENNA: I'd ask be marked as
16 Eckhart 21 a one-page document Bates stamped
17 1869.

18 (Eckhart Exhibit 21, e-mail dated
19 9-17-2019, Bates stamped FOX 001869, marked
20 for identification.)

21 (Document review.)

22 Q. Ms. Eckhart, does that refresh your
23 recollection about Mr. Hirst telling you in
24 September of 2019 that your latenesses were
25 unacceptable and that it was a final warning

1 J. Eckhart

2 regarding your latenesses?

3 A. Yes.

4 MS. McKENNA: Can I have 200, please.

5 Q. Do you recall a conversation with Brad
6 Hirst in September 2019 about your Instagram post
7 from a rehearsal with new Fox graphics?

8 A. I don't remember. I'm sorry.

9 Q. Do you have any recollection of having
10 a conversation with Mr. Hirst about you disclosing
11 prematurely a new graphics package on your social
12 media?

13 A. I do not.

14 MS. McKENNA: I'd ask be marked as
15 Eckhart 22 a document Bates stamped FOX 2180
16 to 2182.

17 (Eckhart Exhibit 22, e-mail dated
18 9-23-2019, Bates stamped FOX 002180 through
19 FOX 002182, marked for identification.)

20 (Document review.)

21 Q. Ms. Eckhart, does this refresh your
22 recollection of your revelation of the new Fox
23 graphics package by posting it on your Instagram
24 account?

25 A. Yes.

1 J. Eckhart

2 He suggested we discuss my career in his room. I
3 believed him. He wanted to have another drink in
4 him room with me as well and coerced me into his
5 room and I felt terrified.

6 Q. My question, Ms. Eckhart, was not what,
7 but when was the first time you ever had sexual
8 contact with Ed Henry?

9 A. 2014.

10 Q. Physical sexual contact.

11 A. 2014.

12 Q. How many times did you have sexual
13 physical interactions with Ed Henry?

14 A. I'm not sure I understand your
15 question.

16 Q. I'll rephrase it.

17 On how many occasions did you have
18 physical sexual interaction with Ed Henry?

19 A. Three.

20 Q. The first time in 20 -- was 2014; is
21 that correct?

22 A. That's correct.

23 Q. Do you recall when the second time was?

24 A. When I was assaulted by him on Fox News
25 office property.

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 Case No. 1-20-cv-05593(RA)

5 - - - - -x

6 JENNIFER ECKHART, :

:

7 Plaintiff, :

:

8 - vs - :

:

9 FOX NEWS NETWORK, LLC and ED HENRY, :

10 in his individual and professional :

11 capacities, :

:

12 Defendants. :

13 - - - - -x

14 April 25, 2023

15 9:47 a.m.

16 11 Times Square

17 New York, NY

18 *** VOLUME II ***

19
20 CONTINUED VIDEOTAPED DEPOSITION UPON
21 ORAL EXAMINATION OF JENNIFER ECKHART, held at the
22 above-mentioned time and place, before Randi
23 Friedman, a Registered Professional Reporter,
24 within and for the State of New York.
25

J. Eckhart

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MICHAEL MANZO, ESQ.

ALEXANDER MALETIS - Paralegal

* * *

ALSO PRESENT:

Carlos King - Videographer

Carl Guida, Esq. (Fox News)

1 J. Eckhart

2 MR. VIDEOGRAPHER: Good morning.
3 We are going on the record at 9:47 a.m. on
4 April 25th, 2023.

5 Please note that the microphones
6 are sensitive and may pick up whispering and
7 private conversations. Please mute your
8 phones at this time. Audio and video
9 recording will continue to take place unless
10 all parties agree to go off the record.

11 This is Media Unit No. 1 of the
12 video-recorded deposition Volume 2 of the
13 video-recorded deposition of Jennifer
14 Eckhart, taken by counsel for defendants in
15 the matter of Jennifer Eckhart versus Fox
16 News Network LLC, filed in the United States
17 District Court, Southern District of New
18 York, Case No. 1:20-CV-05593(RA).

19 Our location of this deposition is
20 11 Times Square, New York, New York.

21 My name Carlos King, representing
22 Veritext. I'm the videographer. The court
23 reporter is Miss Randi Friedman, also
24 representing Veritext.

25 I'm not authorized to administer

1 J. Eckhart

2 an oath, I'm not related to any party in
3 this action, and I'm not financially
4 interested in the outcome.

5 If there are any objections to the
6 proceedings, please state them at the time
7 of your appearance. Counsel and all
8 present, including remotely, will now state
9 their appearance and affiliations for the
10 record, beginning with noticing attorney.

11 MS. McKENNA: I think we did this
12 yesterday. Everybody is here who was here
13 yesterday, plus the addition that the court
14 reporter noted, thank you.

15 * * *

16 JENNIFER ECKHART, the witness
17 herein, having been previously duly sworn,
18 was examined and testified further as
19 follows:

20 * * *

21 CONTINUED EXAMINATION

22 BY MS. McKENNA:

23 Q Ms. Eckhart, I'm going to remind you
24 you're still under oath. You know that; correct?

25 A Yes.

1 J. Eckhart

2 Henry?

3 A Not to my knowledge.

4 Q We discussed the other day the fact
5 that your employment with Fox came to an end on
6 June 12, 2020; correct?

7 A Correct.

8 Q Do you recall having a meeting on
9 June 12, 2020 in which you learned you were
10 terminated?

11 A Yes.

12 Q Who attended that meeting?

13 A Myself, Denise Collins and Brad Hurst.

14 Q Where did that meeting take place?

15 A In one of the conference rooms. Human
16 resources.

17 Q How long did the meeting last?

18 A Forty-five minutes.

19 Q Can you give me your best recollection
20 of what happened in that meeting?

21 A I sat -- I walked silently with Brad
22 Hurst to human resources. I had no idea what was
23 going to happen, what was going to be said. I
24 had speculated that I could potentially be fired,
25 but I wasn't -- I didn't really know what the

1 J. Eckhart

2 that there was another message at another time
3 where you said you were a big fan of his?

4 A Yes.

5 Q When did you send that message?

6 A I don't remember.

7 Q Do you know how you sent that message?

8 A I sent it over Twitter DM.

9 Q Again, so you do not have a copy of
10 that message?

11 A Unfortunately, I don't.

12 Q Can you tell me why you don't have
13 copies of your Twitter DM's?

14 A All I can say is I no longer wanted to
15 see his image, his name in my phone. I didn't
16 want any connection or, frankly, anything to do
17 with him after he violently raped me.

18 Q So you erased any record of his
19 Twitter account or the DM's, any communications
20 back and forth after the alleged rape in 2017?

21 A Not all Twitter messages, as we have
22 messages of him trying to pursue me, saying "yo"
23 and "why did you turn away today," but, yes, I
24 did delete it.

25 Q So you deleted what you wanted to

1 J. Eckhart

2 delete; is that fair?

3 A Sure.

4 Q So you mentioned that there was a
5 communication in which Mr. Henry said he was in
6 New York, he was going to appear on a show, and
7 he invited you to come meet him; is that correct?

8 A Correct.

9 Q Where did he invite you to come meet
10 him?

11 A In the green room, prior to being on
12 the show Outnumbered.

13 Q And did you go meet him?

14 A I did.

15 Q Do you remember when that was? What
16 day?

17 A I don't really remember. I want to
18 say it was sometime in early 2014.

19 MS. FOTI: So we're going to start
20 marking our exhibits as Defendant Henry's.
21 This will be Exhibit 1.

22 (Defendant Henry's Exhibit 1 was
23 marked.)

24 BY MS. FOTI:

25 Q You can put aside the other two

1 J. Eckhart

2 with Mr. Henry. Is that correct or not correct?

3 A I think it was a mixture of both, to
4 be honest.

5 Q So some of these communications could
6 have come after you next met Mr. Henry?

7 A Correct.

8 Q When is the next time that you met
9 Mr. Henry in person?

10 A After being worn down by his advances
11 towards me, he -- I finally relented and agreed
12 to meet him for a drink at the Marriott Marquis,
13 which is where Fox housed a lot of it's on-air
14 talent when they were in town, in New York City,
15 traveling for work. He asked me to meet him at
16 the bar and I showed up with a yellow legal pad
17 with career-related questions, because I was
18 seeking a journalism mentor in the industry at
19 the time.

20 Q And to the best of your recollection,
21 when was that meeting at the Marriott Marquis?

22 A I would say sometime in 2014. I don't
23 remember the month. I would have to refer to the
24 complaint. I'm sorry.

25 Q Well, the green room meeting we've

1 J. Eckhart

2 those questions?

3 A Yes.

4 Q Is that correct?

5 Did you take notes while you were
6 sitting with Mr. Henry?

7 A I felt really nervous to.

8 Q So you did not take any notes?

9 A I just felt really nervous. No.

10 Q So the answer to my question is no?

11 A No.

12 Q And did you refer to the legal pad
13 when you were sitting with Mr. Henry?

14 A It was inside my purse and I would
15 often, like, glance over at it. I didn't have
16 it, like, out in front of me.

17 Q So you did not pull it out?

18 A No, because I didn't want him to think
19 I was like an amateur.

20 Q And you keep mentioning the fact that
21 you were looking for a mentor. Journalism
22 mentor; is that right?

23 A Uh-huh.

24 Q Now you had worked with Neil Cavuto;
25 is that right?

1 J. Eckhart

2 were those through WhatsApp or Twitter DM? What
3 were those coming through?

4 A WhatsApp.

5 Q WhatsApp. So after you downloaded
6 WhatsApp, did you communicate on any other
7 platform other than WhatsApp?

8 A I think there were a few times he had
9 emailed me, but it was mostly using WhatsApp.

10 Q What happened with all the WhatsApp
11 messages that you just testified to -- about?

12 A I deleted them.

13 Q You deleted all of those?

14 A Not every message, but the majority,
15 yes.

16 Q And when did you delete those?

17 A After he violently raped me.

18 Q So your allegation is that he raped
19 you in February of 2017, so sometime after that?

20 A Correct.

21 Q How long after that did you delete
22 those messages?

23 A I think a few months after the fact.
24 I can't remember.

25 Q And what made you decide to wait a few

1 J. Eckhart

2 months to delete the messages?

3 A I don't know.

4 Q So at the time in February 2017 when
5 you say my client raped you, did you understand
6 then that you might be able to charge him with a
7 crime?

8 A I -- can you please repeat the
9 question?

10 Q Sure. Did you understand that he had
11 done -- according to your version of the events,
12 that what my client had done was a criminal act?

13 A Correct.

14 Q So you knew at that time that you
15 could go to the police and report what he had
16 done; is that correct?

17 A I did.

18 MS. FOTI: I'm going to mark Henry
19 Exhibit 5.

20 (Defendant Henry Exhibit 5 was
21 marked.)

22 MR. WILLEMIN: Is it possible
23 just -- I don't know if it's possible, but
24 to go forward, if you could just give two to
25 the court reporter like we have?

1 J. Eckhart

2 how you created this picture on a phone?

3 A Sure. I didn't want to take a
4 screenshot on WhatsApp because I had remembered
5 reading somewhere that if you take a screenshot
6 on WhatsApp it automatically notifies the other
7 person that's communicating with you. I didn't
8 want Ed Henry to think that I was collecting
9 screenshots of his violent behavior towards me,
10 so in an effort to conceal that, which is like --
11 was a survival mechanism, I took pictures of
12 these conversations using my work iPhone, and
13 then after I took photos of the conversation
14 using my work iPhone, I then texted these images
15 to my number from my work phone, and then
16 proceeded to delete the entire WhatsApp
17 conversation between us.

18 Q So you used your work iPhone to take
19 pictures of selected messages; is that correct?

20 A Correct.

21 Q Is there a reason that you did not
22 take pictures of every single message that
23 Mr. Henry and you exchanged?

24 A I just wanted to take pictures of his
25 violence towards me and how he had hurt me.

1 J. Eckhart

2 Q So you made a decision that you wanted
3 to take pictures of Mr. Henry's messages towards
4 you indicating violence, not all messages;
5 correct?

6 A Correct.

7 Q So you took your work iPhone and you
8 placed, I guess, your personal iPhone down and
9 you took a picture of what was on the screen of
10 your personal iPhone; that's correct?

11 A Yeah, or in some cases I'm holding my
12 personal iPhone.

13 Q Sorry, you might be holding it, but
14 you're taking a picture of your personal iPhone
15 with your work iPhone.

16 Were you concerned that Fox had access
17 to your personal iPhone? I mean, to your work
18 iPhone?

19 A I was.

20 Q So why would you use your work iPhone
21 to take this picture if you were concerned that
22 Fox could have access to it?

23 A Because after I took the photos and
24 texted them to myself, I then went in my photos
25 and I deleted all of them.

1 J. Eckhart

2 Q You went into your work iPhone and
3 deleted the photos from your work iPhone?

4 A Yes.

5 Q Do you know whether or not by using
6 your work iPhone to take these photos you created
7 some sort of record that could have been, I
8 guess, recreated once you deleted the photos?

9 A I don't know what you mean by
10 recreated.

11 Q Sure. Was your work iPhone backed up
12 to the cloud?

13 A I don't know. I seriously don't know.

14 Q Do you know whether or not it was
15 backed up by any Fox server?

16 A I'm sure it was.

17 Q So -- and what is your understanding
18 of when you delete a photo from your work iPhone,
19 whether or not that photo would be deleted from a
20 Fox server that it might be backed up onto?

21 A I don't know.

22 Q Once you took these pictures on your
23 work iPhone, you then did what with them?

24 A I stored them in my personal phone.

25 Q So you texted them to yourself again?

1 J. Eckhart

2 A I texted them from my work phone to my
3 personal phone.

4 Q And then they were stored, and where
5 were they stored on your personal phone?

6 A I stored them in my photos.

7 Q And when did you do that? What day?

8 A I believe this all occurred the same
9 day, on August 5th, 2017.

10 Q What happened on August 5th, 2017 that
11 caused you to decide that was the day you were
12 going to take these pictures?

13 A I was in a lot of physical and
14 emotional pain and I had fully processed what had
15 happened to me. And he frankly frightened me and
16 I wanted to keep a record of him bragging about
17 beating me up.

18 Q Did something happen that caused you
19 to -- to process what you said happened to you?

20 A Nothing in particular.

21 Q What position did you have at Fox on
22 August 5th, 2017?

23 A I don't remember. Probably production
24 assistant.

25 Q Did you share -- these pictures you

1 J. Eckhart

2 onto my arm, yes.

3 Q Did you scream to draw any attention
4 to yourself?

5 A No.

6 Q Did you try to get away from Mr. Henry
7 when you were going to his room?

8 A No.

9 Q Is it fair to say you went up to his
10 room willingly?

11 A I was scared and, again, didn't feel I
12 could say no, so I went.

13 Q My question is did you go up to his
14 room willingly?

15 A Yes.

16 Q And what happened once you got into
17 his room?

18 A We did not have a drink and we did not
19 discuss my career right when we walked in. He
20 instead locked the door and forcefully started
21 kissing me. Threw me against the wall, quickly
22 took off my dress, and threw himself on top of me
23 on the bed and proceeded to have very quick
24 sexual intercourse with me. So fast that my
25 shoes were -- my high heels were on the entire

1 J. Eckhart

2 time.

3 Q So he proceeded -- you proceed into
4 the room. He locks the door. And you said that
5 he then proceeds to throw you up against the
6 wall. Do you fight him at any point?

7 A No.

8 Q You don't say "no" at any point?

9 A No.

10 Q He took off your dress. Did you tell
11 him not to take off your dress?

12 A No.

13 Q He then threw you on top of the bed.
14 Did you try to get off the bed?

15 A No.

16 Q And then you proceeded to have quick
17 intercourse. At any time did you -- before the
18 quick intercourse did you tell him you did not
19 want to have intercourse?

20 A Can you please repeat the question?

21 Q Sure. You said he threw you on the
22 bed and he proceeded to have very quick
23 intercourse. At any time prior to the actual
24 penetration did you tell him you did not want to
25 have intercourse?

1 J. Eckhart

2 A No.

3 Q So you agreed to have sex with
4 Mr. Henry that day?

5 MR. WILLEMIN: Objection.

6 THE WITNESS: Again, I didn't feel
7 like I had a choice because I was scared of
8 him. And I wasn't sure what would happen if
9 I said no.

10 BY MS. FOTI:

11 Q But you didn't say "no"; is that
12 correct?

13 MR. WILLEMIN: Objection, asked
14 and answered.

15 You can answer again.

16 THE WITNESS: I don't know what
17 her question is.

18 Can you please repeat it?

19 BY MS. FOTI:

20 Q My question is you did not say "no"?

21 A No.

22 Q The fact of the matter is you agreed
23 to have sex with him?

24 MR. WILLEMIN: Objection.

25

1 J. Eckhart

2 BY MS. FOTI:

3 Q In the room; is that correct?

4 A It's not consent if your abuser makes
5 you afraid to say no.

6 Q Did you say "no"?

7 MR. WILLEMIN: She just said she
8 didn't consent. She already told you ten
9 times.

10 MS. FOTI: She's giving me a legal
11 argument. I'm not interested in legal
12 argument.

13 MR. WILLEMIN: She told you 12
14 times she didn't say "no." You didn't know
15 she didn't say "no"?

16 MS. FOTI: I'm interested in
17 facts.

18 MR. WILLEMIN: So you're going to
19 ask her again?

20 MS. FOTI: Let's start again.

21 BY MS. FOTI:

22 Q He took you to the room. You did not
23 say no, all right. My question is, that means
24 you agreed to have sex with him. Is the answer
25 yes or no?

1 J. Eckhart

2 MR. WILLEMIN: Her answer is she
3 didn't consent. That's what she said.

4 BY MS. FOTI:

5 Q And how did you indicate that you did
6 not consent? First of all, I think that's
7 Mr. Willemmin's answer, so let's fix the record
8 here. Let's fix the record.

9 Did you agree to have sex with
10 Mr. Henry?

11 MR. WILLEMIN: Objection. Asked
12 and answered.

13 You can answer again.

14 BY MS. FOTI:

15 Q I'm looking for a yes or no.

16 A It's not a yes or no question.

17 Q It is a yes or no question. Please
18 answer yes or no.

19 MR. WILLEMIN: You can't tell her
20 to answer yes or no.

21 MS. FOTI: I can. It's a yes or
22 no question.

23 BY MS. FOTI:

24 Q Did you agree --

25 MR. WILLEMIN: You cannot tell her

1 J. Eckhart

2 to answer the question.

3 MS. FOTI: I can instruct her to
4 answer the question.

5 MR. WILLEMIN: You don't have to
6 listen to the instruction. You answer the
7 question however you see fit.

8 MS. FOTI: I object to your
9 instruction.

10 THE WITNESS: Catherine, it is not
11 consent if your abuser makes you afraid to
12 say no.

13 BY MS. FOTI:

14 Q My question is did you agree to have
15 sex with him? Let's put aside whether or not you
16 decide that there's some legal argument that it's
17 not consent.

18 A I don't know how -- I don't know how
19 to answer that question. I'm sorry.

20 Q Okay. So did you scream?

21 A No.

22 Q Did you yell in any way?

23 A No.

24 Q Did you say anything to Mr. Henry to
25 suggest that you were not agreeing to have sex

1 J. Eckhart

2 with him?

3 A No.

4 Q What happened after the quick
5 intercourse?

6 A I laid there in a state of shock and
7 he told me, again, how beautiful I was, and told
8 me that I'm wasting my time being behind the
9 scenes as a production assistant and that I
10 should be on camera becoming a star. And he
11 proceeded to tell me that he could put me in the
12 room with really powerful people and
13 decision-makers at Fox.

14 Q How long did you -- I'm sorry. Did
15 you lay in the bed together during this
16 conversation?

17 A Yes.

18 Q Do you need a break? Please let me
19 know if at any point you need a break.

20 A No.

21 Q How long did you lay in the bed with
22 him after the intercourse, before you left the
23 hotel?

24 A Too long.

25 Q Could you tell me how long, please?

1 J. Eckhart

2 A Ten minutes.

3 Q So you stayed with him in the bed for
4 ten minutes and that's when you had the
5 conversation you just described?

6 A Yes.

7 Q Were you crying at that time?

8 A Not at that time, no.

9 Q Did you tell Mr. Henry that you had to
10 leave?

11 A Yes.

12 Q Okay. When did you tell him that?

13 A After our conversation concluded.

14 Q And you said that in that conversation
15 he told you you were beautiful and that he could
16 put you in the room with powerful people. Had he
17 said anything about putting you in a room with
18 powerful people prior to the intercourse?

19 A No.

20 Q Did he say anything to you after you
21 got into the hotel room, prior to the
22 intercourse, about any type of career
23 advancement?

24 MR. WILLEMIN: Objection.

25 You can answer.

1 J. Eckhart

2 THE WITNESS: Can you please
3 repeat the question?

4 BY MS. FOTI:

5 Q Did he say anything to you after you
6 got into the hotel room, before you had
7 intercourse, about anything he could do in terms
8 of career advancement for you?

9 A I'm sorry, can you please repeat it
10 once more?

11 Q Sure. So let me try it this way:
12 So you got -- you went into the hotel
13 room. He closed the door and he almost
14 immediately -- he threw you up against the wall
15 and he took off your dress, put you on the bed
16 and you had sex. That took how long?

17 A I don't know. It was very brief.

18 Q Very brief. It was very quick. Were
19 you talking during this period of time?

20 A No.

21 Q Did you kiss Mr. Henry?

22 A Not voluntarily.

23 Q Were the two of you kissing?

24 A Again, not consensually.

25 Q My question is were you kissing. Not

1 J. Eckhart

2 whether or not you think it was consensual. Were
3 you kissing?

4 A He forced himself on me.

5 Q My question is were you kissing?

6 A I don't know how to answer that
7 question.

8 Q Well, did your lips and Mr. Henry's
9 lips meet at this time?

10 A This is so sick. Yes.

11 Q After the intercourse, when you were
12 on the bed, other than saying he could put you in
13 the room with powerful people, did Mr. Henry say
14 anything else about anything that he could do to
15 help your career?

16 A No. He had just said, "I can put you
17 in the room with powerful people and
18 decision-makers at Fox News."

19 Q And how did the interaction in the
20 hotel room end?

21 A I left.

22 Q So you told him you had to leave?

23 A Yes.

24 Q Did you get up and get dressed?

25 A Yes.

1 J. Eckhart

2 Q Okay. Were you undressed when you
3 were on the bed having the conversation?

4 A Yes.

5 Q Once you got dressed to leave the
6 hotel room, did you have a conversation with
7 Mr. Henry at that point?

8 A No. I said I had to leave.

9 Q Did you say anything else to him?

10 A No.

11 Q Did he say anything else to you?

12 A Not that I can remember.

13 Q Did he give you anything that night,
14 any type of gift, any type of anything at all?

15 A No.

16 Q Did he say anything about whether or
17 not he loved you?

18 A Can you repeat that, please.

19 Q Yeah. Did he say whether or not he
20 loved you?

21 A No.

22 Q Did he use -- did he tie you up that
23 evening?

24 A To which incident are you referring
25 to?

1 J. Eckhart

2 Q This evening in the Marriott Marquis.

3 A No.

4 Q Did he use handcuffs on you that
5 evening?

6 A No.

7 Q Did he hit you?

8 A No.

9 Q Before you left the hotel room did you
10 tell Mr. Henry that you were upset?

11 A No.

12 Q After you left the hotel room, did you
13 speak to anyone to tell them what had happened
14 with Mr. Henry?

15 A No.

16 Q At the time were you dating anyone?

17 A No.

18 Q Do you know someone named Peter and
19 you mend?

20 A I do.

21 Q Who is Peter Amend?

22 A My ex-boyfriend.

23 Q When did you date Mr. Amend?

24 A I honestly don't remember.

25 Q Can you give me an estimate of what

1 J. Eckhart

2 years you date -- was it years? Did you date him
3 for years?

4 A I believe it was right after this
5 incident occurred that him and I started dating.

6 Q At the time, did you speak to your
7 best friend, , about what had happened?

8 A No.

9 Q Do you have a friend, ?
10 Do you know ?

11 A I do.

12 Q Who is ?

13 A One of my best friends.

14 Q Did you speak to about
15 what had happened?

16 A No.

17 Q Why did you not tell ?

18 A I didn't feel safe doing so.

19 Q You trust your best friends?

20 A I do.

21 Q And you trust that if you told your
22 best friends something and asked them not to tell
23 anyone, that they would not tell anyone?

24 A Like I said, I was scared and I really
25 didn't know what to do.

1 J. Eckhart

2 Q What did you say?

3 A I actually -- oh, I thought you meant
4 did I put the panties in an envelope. No, I did
5 not say anything to him over text.

6 Q So then did you put your panties in an
7 envelope?

8 A He came to my desk and asked if I had
9 anything for him. And I handed him an envelope
10 with my panties, as he had demanded I do.

11 Q How soon after the communication where
12 he asked you to put your panties in an envelope
13 did he come to your desk to pick them up?

14 A I don't think I understand your
15 question.

16 Q Sure. So there's communication where
17 Mr. Henry asked you to put your panties in an
18 envelope; correct?

19 A Correct.

20 Q And at some point he comes and picks
21 them up; correct?

22 A Correct.

23 Q How long between those two situations?

24 A Twenty-30 minutes.

25 Q So once you get the request to put

1 J. Eckhart

2 your panties in an envelope, what do you do?

3 A It was not a request, it was a demand,
4 and I followed orders.

5 Q What did you do?

6 A I went to the bathroom, I removed my
7 panties, and I put them in an envelope for him.

8 Q And so you were left with no panties
9 during the workday at Fox; is that what happened?

10 A That's correct.

11 Q And were you wearing a dress at the
12 time?

13 A Yes.

14 Q And did you consider telling Mr. Henry
15 that you could not take your panties off at work
16 because you would be left with no panties on
17 during the workday?

18 A I considered that.

19 Q And did you do so?

20 A No.

21 Q Why not?

22 A Because I felt that if I did not
23 acquiesce to his sexual demands I would be
24 punished professionally.

25 Q Had Mr. Henry done anything after the

1 J. Eckhart

2 Marriott Marquis encounter to affect the
3 conditions of your employment?

4 A I don't know.

5 Q Well, you're not aware of him telling
6 anyone that you had not done your job properly;
7 is that correct?

8 A Can you please repeat that?

9 Q Sure. You're not aware that Mr. Henry
10 spoke to anyone at Fox to complain about you
11 after the Marriott Marquis encounter?

12 A I'm not aware of that, no.

13 Q And you're not aware that he submitted
14 any type of request to Liz Claman to say, you
15 know, that you should be demoted or anything
16 along those lines; is that right?

17 A He could have, but not to my
18 knowledge, no.

19 Q Well, you did not see any -- you know,
20 any -- you have no knowledge that Mr. Henry made
21 any suggestion to Liz Claman that you somehow be
22 demoted; is that right?

23 A Correct.

24 Q So Mr. Henry asked that you put your
25 panties in an envelope and you agreed to do so;

1 J. Eckhart

2 right?

3 A I did.

4 Q And then he comes and he picks them
5 up. When he picks them up, is there anyone
6 around your desk?

7 A Yes.

8 Q Who else is there?

9 A Brad Hurst. Casey Herzog. Alicia
10 Cascardi. Melanie Capotia(sic.) and Jacqueline
11 D'Ambrosi.

12 Q Describe your -- where you sat in 2015
13 at this time. Where did you sit in the Fox?

14 A I sat on the 12th floor. It's an open
15 newsroom. It's like a bullpen, open seating
16 cubicles, and I was right across from Melissa
17 Francis's office, who's an anchor at Fox.

18 Q Bullpen. I couldn't find that word.
19 So you sat in the bullpen. So when I asked if
20 Mr. Henry came to pick up the envelope, who was
21 around, were those these people at their desks or
22 were they at your desk?

23 A We were sitting in very close
24 proximity to each other, so they were all there.

25 Q But they were at their desks?

1 J. Eckhart

2 A Yes.

3 Q Did anyone say anything to you when
4 Mr. Henry came to retrieve the envelope?

5 A I don't remember.

6 Q Do you remember telling anyone why
7 Mr. Henry was coming to your desk?

8 A No.

9 Q What did Mr. Henry say to you, if
10 anything, when he retrieved the envelope?

11 A He says, "Do you have anything for
12 me," and I just handed him the envelope and then
13 he walked away.

14 Q And what happened after that, if
15 anything, that day?

16 A He persisted texting me, telling me
17 like what a dirty girl I am, and told me to come
18 upstairs to see him in the guest office at Fox
19 News on the 17th floor, to which I responded I am
20 extremely busy. It was a crazy market day. And
21 I was heading down to the floor of the New York
22 Stock Exchange with Liz Claman. I would
23 frequently travel down there when the Dow would
24 drop significantly.

25 He didn't take that as being, like, a

1 J. Eckhart

2 meaningful, I guess, excuse not to see him, and
3 demanded that I come up to see him. So I called
4 Liz Claman a car to have her picked up, which was
5 my job responsibility at the time. And I took
6 the elevator -- after I called her a car and I
7 ensured that she would have transportation down
8 to the Stock Exchange, I then ran upstairs
9 quickly to the 17th floor. Took the elevator.
10 And when I -- I passed the receptionist desk and
11 Ed Henry was sitting at a desk on the 17th floor,
12 not far from the receptionist, and he was either
13 on the phone or pretended to be on the phone, but
14 he was on the phone when I walked in, and I said,
15 like, "I've got to go, I'm really busy." That
16 didn't seem to concern him. The fact that this
17 could affect my job, it didn't concern him.

18 He then abruptly -- he told me -- he,
19 like, signaled me to come in when he was on the
20 phone. Like, come in, come in. I listened to
21 him. I came in the office. He told me to close
22 the door. I did not close the door. I sat down
23 on my phone and I was like, "I've got to go.
24 Like I'm really busy. I've got to go." He
25 proceeded to hang up the phone and walked over to

1 J. Eckhart

2 the door, he closed it. There was no lock on the
3 door, so anyone could have come in at any time.
4 He began forcefully kissing me and he pinned me
5 against the wall and he took his hand and he
6 shoved my head down. And I had never seen a man
7 undo his pants so quickly. He took off his belt,
8 like, really fast. Still kept his pants on --
9 his zipper -- his fly was just open. And he took
10 his hand on my head and used his hand to force me
11 into giving him oral sex against my will.

12 Q You said that this was on the 17th
13 floor and you had to go past the reception desk.
14 How close to the reception desk was this office?

15 A Really close. I would say like a
16 couple feet.

17 Q And was the office walls -- were they
18 stucco? I don't know what you call it. What's
19 the wall called, plaster? Were they glass? What
20 were they made of?

21 A There were no windows. It was just
22 like a wooden door. There was no glass. No
23 windows.

24 Q And the door did not have a lock?

25 A The door did not have a lock.

1 J. Eckhart

2 York Stock Exchange.

3 Q I guess my question is were the two
4 you have going to go in the car together?

5 A Yes.

6 Q So -- all right. So you went -- you
7 left the office after this and you went and got
8 in the car with Ms. Claman; right?

9 A Correct.

10 Q Did you say anything to Ms. Claman at
11 that time about this, about the interaction?

12 A I did not.

13 Q Did Ms. Claman ask you anything about
14 where you were coming from?

15 A She asked if I was okay because I
16 looked really rattled and my makeup was all
17 messed up. I had, like, lipstick on my cheek. I
18 was like a disaster. And she asked if I was
19 okay. I said I wasn't.

20 Q So prior to going to the car did you
21 stop by the bathroom at all?

22 A I didn't have time.

23 Q So right from this situation with
24 Mr. Henry you ran -- you went right down the
25 elevator to the car?

1 J. Eckhart

2 A I told her, "No, I'm not."

3 Q Okay. Did she ask you why?

4 A She said, "It's okay. You don't need
5 to talk about it." She knew I was upset. She
6 didn't really also -- she was in the zone with
7 her work and job and I didn't want to burden the
8 anchor or upset her.

9 Q But she was out of the zone enough to
10 ask you if you were okay; is that correct?

11 A That's correct.

12 Q And you did not take that opportunity
13 to tell her what had happened; is that right?

14 A That's correct.

15 Q Again, did you tell anyone -- after
16 this interaction did you tell anyone what had
17 happened with Mr. Henry at any time about
18 anything that happened that day? Did you tell
19 anyone?

20 A Not at that point in time, no.

21 Q When is the first time you told anyone
22 that happened that day?

23 A To my ex-boyfriend, Andrew Holt.

24 Q And when did you tell Mr. Holt?

25 A In 2019.

1 J. Eckhart

2 Q Okay. Is this
3 , the day we were just talking about,
4 in order to go into the Stock Exchange?

5 A It is.

6 Q Does looking at this document -- does
7 it refresh your recollection that the day of
8 these events you just described was September 16,
9 2015?

10 A Yes.

11 Q So you took a picture that day and
12 posted it that day?

13 A I did.

14 Q Do you know when you took this
15 picture, when during the day?

16 A It was after we had arrived at the
17 Stock Exchange.

18 Q So you took this picture while you
19 were at the Stock Exchange and then did you post
20 it right away?

21 A No. I waited until after I was done
22 with work and had produced the live show from the
23 floor of the New York Stock Exchange, to post
24 after hours.

25 Q And the picture reflected here, this

1 J. Eckhart

2 A I have.

3 Q So turning first to Henry 19, you see
4 that towards the last message on that page there
5 is a little indication that says Thursday,
6 February 9th.

7 A I do.

8 Q And let me just backtrack.

9 Are these communications that you had
10 with Mr. Henry leading up to the alleged rape?

11 A I believe so.

12 Q So the reference to Thursday,
13 February 9th, does that refresh your recollection
14 that the actual date of the rape that you believe
15 was on a Friday would have been Friday,
16 February 10th?

17 A It's possible.

18 Q Well, when you say it's possible, is
19 there any reason to believe that it's not Friday,
20 February 10th?

21 A Again, I don't remember the exact
22 date.

23 Q I understand that. If I'm accurate
24 that these are messages leading up to the
25 interaction at the Omni, would it be fair to say

1 J. Eckhart

2 that if the interaction was on a Friday and it
3 was a Friday before Valentine's Day, the one
4 Friday that was remaining in February prior to
5 Valentine's Day after Thursday, February 9th
6 would be Friday, February 10th?

7 A I said I thought. I wasn't entirely
8 sure if it was on a Friday. And so again, that's
9 not with a thousand percent certainty. But all
10 of these text message exchanges occurred before
11 the rape happened.

12 Q Thank you.

13 Referring to 19, you see that
14 Mr. Henry texted you, "Yes, Friday, little bitch
15 snowflake"?

16 A Yes.

17 Q The reference says Friday. Does that
18 refresh your recollection that in fact the
19 interaction was on a Friday?

20 A I don't know what he was referencing.

21 Q So then after hashtag snowflake you
22 say fuck you calling snowflake old man. He says
23 little snowflake bitch. And then you say you
24 need my 26-year-old pussy. And he says gentle
25 little whore going to get tossed around like a

1 J. Eckhart

2 little rag doll. And you say love that. Do you
3 see that?

4 A I do.

5 Q Okay. And can you tell me whether or
6 not your communications with Mr. Henry on this
7 page indicated that you were being flirtatious
8 with him?

9 A I was not being flirtatious. He had
10 already sexually assaulted me. Again, I was in
11 fear of losing my job and he had also caused me
12 great bodily harm, and I was scared that if I
13 didn't tell him what he wanted to hear, I would
14 get punished both physically and professionally.

15 Q He forced you to say "You need my
16 26-year-old pussy"?

17 MR. WILLEMIN: Objection.

18 You can answer.

19 THE WITNESS: I was groomed and
20 coerced by a dangerous serial predator
21 starting at the age of 24, Ms. Foti.

22 MS. FOTI: I'm going to object and
23 move to strike that answer.

24 MR. WILLEMIN: You can move to
25 strike. You can move to strike it at the

1 J. Eckhart

2 MR. WILLEMIN: He's been smirking
3 for the last two days. I have not said
4 anything. Don't do that either.

5 MS. FOTI: No, don't address my
6 clients.

7 Sorry. Go ahead.

8 MR. WILLEMIN: Can you tell him
9 not to smirk then?

10 MS. FOTI: I don't see him
11 smirking, so maybe he's reacting to what her
12 testimony is. I don't see him smirking.

13 BY MS. FOTI:

14 Q Do you want a break? I'm happy to
15 allow you to have a break.

16 A Ed Henry slapped me in the face
17 multiple times, left my face bright red, and he
18 really hurt me. Mr. Henry then turned me back
19 upside down and removed his belt and proceeded to
20 whip me with his belt multiple times. I asked
21 for him to stop. He said no.

22 Mr. Henry then turned me over again
23 and proceeded to shove his fist up my vagina,
24 which really hurt me. I felt really scared. I
25 feel scared right now. And after he had done

1 J. Eckhart

2 that to me, he then proceeded to forcefully rape
3 me. He did not use a condom.

4 I have tried so hard to forget this
5 night from ever happening. I'm sorry for crying.
6 I'm just -- he really, really injured me.

7 After he was finished with me, I guess
8 he felt it was okay now for him to unrestrain me
9 and remove the handcuffs that I had asked him to
10 remove. My wrists were bleeding. I had a bloody
11 lip. My -- I had red whipping marks all over my
12 ass, my chest, everywhere. All over my body. My
13 wrists were bleeding from the handcuffs. My
14 vagina hurt, after he performed sadistic and
15 painful acts on me of which I did not consent to.

16 After he removed the handcuffs, I
17 quickly got dressed. How courteous, he asked if
18 he could call me an Uber home. Had he not raped
19 me, I probably would have taken him up on that
20 offer, but I wanted to get the hell out of that
21 hotel room. So I said, "No, I'll find my own way
22 home," and I did. I ran out of the hotel lobby
23 without my high heels on. I was holding them. I
24 flagged down a taxi. A taxi immediately pulled
25 up. I got inside the taxi. The taxi -- I

1 J. Eckhart

2 A Yes.

3 Q Does he -- do you have -- does he have
4 intercourse with you at any time prior to the
5 time when he puts his fist in your vagina?

6 A No.

7 Q Do you have any other oral sex at all
8 during this encounter?

9 A He shoved his penis in my mouth while
10 I was restrained.

11 Q So you did not mention that when you
12 were going through the events of the evening;
13 correct?

14 A I must have left it out. There's a
15 lot that happened that night, Ms. Foti.

16 Q And did you ever -- did he ever have
17 anal sex with you that night?

18 A No, but he wanted to.

19 Q And you said no?

20 A I said no.

21 Q And he listened to you?

22 A He didn't listen to me.

23 Q Did he refrain from having anal sex
24 with you after you said no?

25 A Yes.

1 THE WITNESS: Oh, I see.

2 MR. WILLEMIN: -- A, B, C, so just scroll
3 down until you get to G, and then you'll scroll
4 down from there.

5 THE WITNESS: Okay. Thank you.

6 I'm at G. What is it that you're
7 requesting me to do?

8 BY MS. FOTI:

9 Q. Which of the exhibits, of G through U,
10 which are pictures that I purport to believe you
11 sent to Mr. Henry, which of those is it your
12 testimony are not of you?

13 A. I is not of me. M is not of me. Q is not
14 of me. T is not of me. U is not of me. And that's
15 it.

16 Q. Thank you.

17 MS. FOTI: I'm going to mark more exhibits
18 now in a row again. So, again, this might take
19 a little time before you see them.

20 So I'd like to mark as Exhibit 51 --

21 MR. WILLEMIN: Sorry. Can we just take a
22 two-minute break like while you do that? I
23 just need to use the restroom. I'll be right
24 back.

25 MS. FOTI: Sure. Why don't we do that.